

Janab J. MOHAMED IMAM.—I rise to a point of order. Both the Members belonging to the same party are differing!

Sri A. BHEEMAPPA NAIK.—I am only suggesting that I differ from him. But I am prepared to abide by the party's position and decision here.

Mr. SPEAKER.—The motion is no doubt very definite and is also one of importance. But I have my own doubts as regards the urgency of the matter for the simple reason that the general discussion on the Budget will commence just now and the Hon'ble Member will have the right of speaking about this very matter. And for other reasons also which I have indicated while I gave a ruling on the first adjournment motion during the session I hold that this adjournment motion is not in order.

#### **Situation arising on the termination of flying of the Mysore Flag and stopping the singing of the Mysore Anthem.**

Mr. SPEAKER.—Then we have another adjournment motion sent by Janab J. Mohamed Imam, Sri M. Chikkalingiah, Sri U. M. Madappa, Sri B. Hutche Gowda, Sri T. Nagappa, Sri Siddaiah *alias* Kunniyah, Sri B. Rachiah and Sri S. Srinivasa Iyengar which is as follows.—

“That the business of this House do stand adjourned to discuss a matter of definite urgent public importance which occurred in the course of this session on 21st June 52 namely the situation arising out of the Government Order terminating the flying of the Mysore Gandabherunda Flag and the singing of Mysore Anthem.”

Sri A. BHEEMAPPA NAIK (Molakalmuru).—I want the Deputy Leader of the Opposition to make a statement on this issue.

Sri Mulka GOVINDA REDDY (Chitaldrug).—I do not want to play into the hands of my friend Sri Bheemappa Naik.

Janab J. MOHAMED IMAM (Jagalur).—Sir, on the 21st of this month, in the course of his reply to the debate on the Address of the Rajpramukh and in reply to an Hon'ble Member of this House, the Hon'ble Leader of the House took all of us by surprise by making an announcement that the Government would issue an order terminating the flying of the Mysore Flag and also the singing of the Mysore Anthem.

Firstly, the adjournment motion satisfies the conditions needed for moving it. It is a matter of public importance. To that, I think, everybody will agree because the flying of the Mysore Flag and the singing of the Mysore Anthem have been in vogue in Mysore State for centuries and to put an end to this long usage and privilege by an announcement is really a very important act in which all the members of the public are concerned and it is a matter of first rate public importance.

Sri R. ANANTHARAMAN (Chamarajapet).—Sir, I rise to a point of order. According to rule 42 (b), not more than one matter can be discussed on the same motion. Here, my friend refers to two matters, the singing of the National Anthem and also the flying of the Mysore Flag.

Janab J. MOHAMED IMAM.—By way of explanation I am referring to the Government Order. There was only one Government Order.

Sri R. ANANTHARAMAN.—In one Government Order there may be many matters.

Janab J. MOHAMED IMAM.—So there is absolutely no doubt that the public are deeply concerned in this matter. It is a matter of urgent public importance and it is of recent occurrence. That is another condition to be fulfilled. In fact it happened only on the 21st of this month when no Member could raise this question in this House by any other means. In my opinion it satisfies all the conditions for moving an adjournment motion. Rule 40 is like this :

(JANAB J. MOHAMED IMAM).

"Subject to the provisions of these rules, a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter....."  
The matter is quite definite.

"...of urgent public importance may be made with the consent of the Speaker."

There are other principles involved also in this: whether the Hon'ble Chief Minister can issue such a Government Order when the House is in session, because, when the House is in session, it was obligatory or morally binding on him to consult this House before such an important Government Order was passed.

There is also the matter of privilege. I submit this is a matter of very great public importance which affects the whole State, which affects all the traditions and the long-established usage and the privilege not only of the State but of the Rajpramukh. In my opinion it satisfies all the conditions laid down for an adjournment motion and it is important enough to be admitted.

Mr. SPEAKER.—Has the Hon'ble Leader of the House to say anything?

ಶ್ರೀ ಕೆ. ಹನುಮಂತಯ್ಯನವರು (ಸಭಾ ನಾಯಕರು).—ಈ ಅವಸರದ ಠರಾವನ್ನು ಚರ್ಚೆ ಮಾಡುವುದರಿಂದ ಏನೂ ಪ್ರಯೋಜನವಿಲ್ಲ ಎಂಬುದು ನನ್ನ ಸೂಚನೆ. ನಾನು ಆ ದಿವಸ ಸಭೆಯಲ್ಲಿ ಹೇಳಿದಹಾಗೆ ರಾಜ್ಯಾಂಗದ ಪ್ರಕಾರ ಮಂತ್ರಿಮಂಡಲ ಮತ್ತು ಈ ಸಭೆ ಏನೇನು ಕೆಲಸ ಕಾರ್ಯಗಳನ್ನು ಮಾಡಬೇಕೋ ಅದನ್ನು ಮಾಡಬೇಕು. ಜನಾಬ್ ಇಮಾಂರವರು ವಾದಮಾಡುತ್ತಾ ಇದ್ದು ಬಹಳ ಅನೂಚಾನವಾಗಿ ಬಂದದ್ದು, ಬಹಳ ಹಳೆಯ ಸಂಪ್ರದಾಯ ಎಂದು ಹೇಳಿದರು.

Janab J. MOHAMED IMAM.—On a point of order, Sir. Can he enter into the merits of the case? He should say whether it is definite, whether it is of public importance, and of recent occurrence. I also did not enter into the merits.

Mr. SPEAKER.—He is not entering into the details. Please wait and see.

Sri K. HANUMANTHAIYA.—I am answering the very points the Hon'ble Member raised.

ಅದ್ದರಿಂದ "ಇಲ್ಲಿಯ ಸಂಪ್ರದಾಯ ಅನೂಚಾನವಾಗಿ ಬಂದಿದೆ. ಅದನ್ನು ತಕ್ಷಣ ರದ್ದು ಮಾಡುತ್ತಿದ್ದಾರೆ" ಎಂಬುದು ಅವರ ವಾದವಾಗಿದೆ. ಆ ವಾದಕ್ಕೆ ನಾನು ಉತ್ತರ ಹೇಳುವುದು ಇಷ್ಟೆ. ಅನೂಚಾನವಾದ ಪದ್ಧತಿಗಳು ಯಾವಾಪ್ತವೂ ನಮ್ಮ ರಾಜ್ಯಾಂಗ ಸಂವಿಧಾನಕ್ಕೆ ವಿರುದ್ಧವಾಗಿರುತ್ತವೆಯೋ, ಅನಮಂಜ ಸವಾಗಿರುತ್ತವೆಯೋ ಅವುಗಳನ್ನು ರದ್ದುಗೊಳಿಸಬೇಕಾದುದು ಈ ಸಭೆಯವರ ಮತ್ತು ಎಲ್ಲರ ಕರ್ತವ್ಯವಾಗಿದೆ. ಆ ರೀತಿಯಾಗಿ ಅನೂಚಾನವಾದದ್ದೆಂದು ತೆಗೆಯದೆ ಜಾರಿಯಲ್ಲಿಟ್ಟುಕೊಂಡೇ ಬಂದಿದ್ದರೆ, ಇಂದು ಬಹುಶಃ ಜನಾಬ್ ಇಮಾಂರವರು ಇಲ್ಲಿ ನನ್ನ ಸ್ಥಾನದಲ್ಲಿ ಇರುತ್ತಿದ್ದರು, ನಾನು ಅಲ್ಲಿ (ಅವರ ಸ್ಥಾನದಲ್ಲಿ) ಇರುತ್ತಿದ್ದೆ. ಅದ್ದರಿಂದ ಕಾಲ ಬದಲಾಯಿಸಿದೆ. ಅದನ್ನು ಕಣ್ಣು ಬಿಟ್ಟು ನೋಡಬೇಕೆಂದು ಮಾತ್ರ ನಾನು ಅವರಿಗೆ ಹೇಳುತ್ತೇನೆ.

ತಾವು (ಅಧ್ಯಕ್ಷರು) ಮೊನ್ನೆ ದಿವಸವೇ ಅವಸರದ ಠರಾವುಗಳ ವಿಷಯದಲ್ಲಿ ಒಂದು ರೂಲಿಂಗನ್ನು ಸ್ಪಷ್ಟವಾಗಿ ಕೊಟ್ಟಿದ್ದೀರಿ. ಒಂದು ವಿಷಯ ಚರ್ಚೆಯಾಗುವುದಕ್ಕೆ ಈ ಸಭೆಯಲ್ಲಿ ಸಾಮಾನ್ಯ ರೀತಿಯಲ್ಲೇ ಅವಕಾಶ ದೊರೆಯುವುದಾದರೆ, ಅದನ್ನು ಅವಸರದ ಠರಾವಾಗಿ ತಂದು ಚರ್ಚೆಮಾಡುವುದು "ಪ್ರತ್ಯಕ್ಷವೆಂಬುದೇ ತಾವು ಕೊಟ್ಟಿರತಕ್ಕ ರೂಲಿಂಗಿನ ಅರ್ಥ. ಶ್ರೀಮಾನ್ ಇಮಾಂರವರಾಗಲೀ ಅಥವಾ ಇತರರಾಗಲೀ ಈ ವಿಷಯದಲ್ಲಿ ಯಾವ ಅಭಿಪ್ರಾಯವನ್ನೇ ಆದರೂ ಇಟ್ಟುಕೊಳ್ಳುವುದು ತಪ್ಪಲ್ಲ. ಅದನ್ನು ವ್ಯಕ್ತಪಡಿಸುವುದಕ್ಕೂ ಅವಕಾಶವಿದೆ. ಅದ್ದರಿಂದ ಈ ಸಭೆಯ ಕಾರ್ಯಕರಾಪ ಗಳಲ್ಲಿ ಸೂಕ್ತ ಕಂಡ ದಿನ ಸೂಕ್ತ ಕಂಡ ಚರ್ಚೆಯಲ್ಲಿ ಆ ಅಭಿಪ್ರಾಯಗಳನ್ನು ಹೇಳಬಹುದು. ಆದರೆ ಇದಕ್ಕೆಲ್ಲ ಸ್ವರವಾಗಿಯೇ ಈ ಸಭೆಯ ಕಾರ್ಯಕರಾಪಗಳನ್ನು ನಿಲ್ಲಿಸಿ ಚರ್ಚೆಮಾಡಬೇಕೆಂಬುದು ಅಷ್ಟು ಸೂಕ್ತವಾಗಿ ಕಾಣುವುದಿಲ್ಲ. ಹಾಗೆ ಚರ್ಚೆ ಮಾಡುವುದರಿಂದ ಅವರಿಗಾಗಲಿ, ದೇಶಕ್ಕೋ ಅಗಲ ಯಾವ ಪ್ರಯೋಜನವೂ ಇಲ್ಲ. ಈ ಕಾರಣದಿಂದ ಈ adjournment motion ತೆಗೆದುಕೊಳ್ಳುವುದು ಸೂಕ್ತವಲ್ಲವೆಂದು ಹೇಳುತ್ತೇನೆ.

Janab J. MOHAMED IMAM.—Have I got the right of reply, Sir?

Mr. SPEAKER.—Not necessary.

When the notice of an adjournment motion was given some time early during this session, as was pointed out by the Leader of the House, I ruled that in keeping with a number of rulings in the House of Commons and in the Parliament of India and in our own Legislature in the past, an adjournment motion should be disallowed when an ordinary parliamentary opportunity would occur shortly. I even cited the case of refusal on the ground that the matter would be raised on the Estimates or by moving an amendment to the Address in answer to the King's speech. As Hon'ble Members are aware, general discussion on the budget will take place on three days commencing from to-day. In

such a case, it is open to the Hon'ble Members who have given notice of the adjournment motion to raise the matter, if they so desire, during the general discussion of the Budget. In the present constitutional set-up, it is very necessary to realise that an adjournment motion cannot be looked upon as a normal device for raising discussion on any important matter because various opportunities are available under the ordinary procedure for this purpose. It is only in cases where an emergency suddenly arises and where it is necessary to leave aside all other business in order to discuss a subject which brooks no delay and where no ordinary parliamentary opportunity is available that the admissibility of an adjournment motion could be seriously considered. I have heard the Mover and other Members on the question of admissibility, but for the reasons stated above, I disallow the adjournment motion.

## MOTIONS FOR ELECTIONS

### Election to the Senate of the Mysore University.

Sri K. HANUMANTHAIYA (Leader of the House).—Sir, I move :—

“ That this Assembly do proceed to the election of nine members to the Senate of the University in accordance with section 2 of the Mysore University (Amendment) Ordinance, 1952. ”

Mr. SPEAKER.—The question is :

“ That this Assembly do proceed to the election of nine members to the Senate of the University in accordance with section 2 of the Mysore University (Amendment) Ordinance, 1952. ”

*The motion was adopted.*

Mr. SPEAKER.—The Chair desires to inform the House that for the purpose of election of nine members to the Senate of the University, the Office of the Secretary will be open to receive notice of candidature up to

3 P.M. on Monday the 30th June 1952 and that the election, if necessary, will take place on Friday the 4th July 1952, in the Secretary's room between the hours of 3 P.M. and 5 P.M. The election will be conducted as laid down in section 2 of the Mysore University (Amendment) Ordinance, 1952, in accordance with the principle of proportional representation by means of the single transferable vote.

### Election to the Committee on Public Accounts.

Sri K. HANUMANTHAIYA (Leader of the House).—Sir, I move :—

“ That this Assembly do proceed to the election of six members to the Committee on Public Accounts in accordance with rule 134 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly. ”

Mr. SPEAKER.—The question is :

“ That this Assembly do proceed to the election of six members to the Committee on Public Accounts in accordance with rule 134 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly. ”

*The motion was adopted.*

Mr. SPEAKER.—The Chair desires to inform the House that for the purpose of election of six members to the Committee on Public Accounts, the Office of the Secretary will be open to receive notice of candidature up to 3 P.M. on Wednesday the 2nd July 1952 and that the election, if necessary, will take place on Saturday the 5th July 1952 in the Secretary's room between the hours of 9 A.M. and 11 A.M. The election will be conducted as laid down in sub-rule (2) of Rule 134 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly in accordance with the principle of proportional representation by means of the single transferable vote.